May 9, 2006

Chairman Kevin J. Martin
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

RE: CG Docket No. 02-278

My name is Randy Cooper, and I am the Senior Vice President at IAT, Inc., located in Salt Lake City, Utah. In this position I oversee and participate in Research and Development. Our company has provided predictive dialers to the Collection Industry exclusively for debt collection purposes for more than 20 years. Our business has been monetarily harmed and faces the possibility of being shut down as a result of the Federal Communications Commission's (FCC) 2003 regulatory decision to expand the definition of "autodialer" to include "predictive dialer" and to forbid the use of predictive dialers to call cell phones.

I believe that the FCC does not fully understand our technology and is reaching related decisions without adequate information on how collection predictive dialing systems work. To enhance your understanding of this technology, I offer the following information:

A predictive dialer is comprised of both hardware and software. Our predictive dialer includes a server-class PC that is loaded with very specific hardware and software:

- Windows 2000 Professional Operating System (O.S.)
- FONIX Text-To-Speech (TTS) software
- Natural Microsystems (NMS) telephony boards
- Sound Card
- Hard drive(s)
- Monitor
- Keyboard
- CD-ROM/DVD Drive
- Related components
- IAT's CT Center 5.0.xx software

The CT Center 5.0.xx software is proprietary to IAT and has been created by our Development Team specifically for the Collections Industry. CT Center does not have the ability to generate lists of random phone numbers. It processes data as follows:

1. Receives data directly from the collections host/database software (either in real-time or as a batch process). Included in this data for dialing are:

    a. Debtor phone number(s)
    b. Debtor name
    c. Client name
    d. Debt status
    e. Other data specific to each debtor
2. Collectors log on to CT Center from their workstations and telephones.
3. CT Center then begins dialing numbers downloaded from the host, based upon campaign/account-specific parameters such as: descending balance, days past due, accounts over a set dollar amount, accounts from a specific client, etc.
4. When CT Center encounters an answered call, it transfers that call to the appropriate collector who is logged on to the dialer, sees the account information on his or her screen, and attempts to collect the debt.
5. Call results such as no-answers, busy signals, or operator intercepts (SITs) are logged and tabulated in reports. No-answers and busy signals may be retried at a later time at intervals designated by the user, or the data is simply passed back to the host either in real-time or in a nightly batch process.
6. If an answering machine is detected, those calls may be passed directly to a collector to leave a live message, or a prerecorded message may be left on the called party's answering machine.

This process of detecting live answers, answering machines, faxes, modems and the like is repeated throughout the campaign, again working directly from debtor-specific information provided by the host software. As you can clearly see, at no point in this process are numbers randomly generated nor called. Our predictive dialer (hardware and software) does not now have nor has it ever had the capability to generate random sequential numbers. The sole purpose of the calls our clients make using our system is to recover payments for goods and services already purchased.

For these reasons, the FCC should promptly clarify that autodialer (predictive dialer) calls to wireless numbers solely to recover payment obligations are not covered by the TCPA regulations. I urge you as the chair of the FCC to ask the commission to grant ACA International's (ACA) request for regulatory clarification of the 2003 decision in favor of the collection industry, as well as in favor of all consumers who lawfully pay for goods and services they have purchased.

Sincerely,

Randy Cooper, Senior V.P.
IAT, Inc.

cc: ACA International